



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



July 16, 2013

Richard J. Bruckner
Director

Brett Engstrom, Art Rodriguez and Associates
709 E. Colorado Blvd., Suite 200
Pasadena, CA 91101

**REGARDING: PROJECT NO. R2012-00099-(2)
CONDITIONAL USE PERMIT NO. 201200011
11507 S. Western Ave., West Athens, CA (APN: 4057-018-026, -028, and
-029)**

Hearing Officer Patricia Hachiya, by her action of **July 16, 2013**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **July 30, 2013. Appeals must be delivered in person.**

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or additional information, please contact Travis Seawards of the Zoning Permits West Section at (213) 974-6462, or by email at TSeawards@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: DPW (Building and Safety); Zoning Enforcement;

MKK:TSS

CC.060412

**FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2012-00099-(2)
CONDITIONAL USE PERMIT NO. 201200011**

1. **ENTITLEMENT REQUESTED.** The applicant, Ralph's Grocery Co., is requesting a Conditional Use Permit (CUP) to authorize the continued off-site sale of a full line of alcohol (Type 21) pursuant to County Code Section 22.28.160 in the C-2 (Neighborhood Business) Zone.
2. **HEARING DATE:** July 16, 2013
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** A duly noticed public hearing was held on July 16, 2013 before the Hearing Officer. Staff presented the project and the applicant's representative, Brett Engstrom, stated that they had read and concurred with the conditions of approval.

One community member, Henry Porter, testified in support of the project on behalf of the Southwest Community Association. Mr Porter asked that additional conditions be added from the 1994 CUP approval, and the staff consulted with Mr. Porter and Mr. Engstrom, and the following conditions were added:

- All cups shall be sold in bulk, and ice shall be sold only in pre-packaged bags.
- No malt liquors or fortified wines shall be sold.
- No wine shall be sold with an alcoholic content greater than fifteen percent by volume, except corked, finished products aged two years or more.
- At least one security guard will be on duty from noon until closing time.
- The licensed premises will have no coin-operated or other public telephones on the exterior of the building.
- The store manager shall attend the quarterly meetings of the Southwest Community Association.

In addition, the Hearing Officer, Ms. Hachiya, requested that the number of inspections be increased, so that for the first five (5) years there is one (1) annual inspection, and for the remaining ten (10) years, there will be one (1) biennial inspection, for a total of ten (10) inspections.

There being no further testimony, Hearing Officer Ms. Hachiya approved the conditional use permit.

4. **PROJECT DESCRIPTION.** The project is a request for a conditional use permit (CUP) to allow the off-site sale of a full-line of alcohol (Type 21) at a Food4Less grocery store in the C-2 (Neighborhood Business) and R-3-P (Unlimited Multiple Residence – Parking) Zones. The grocery store is relocating from an adjacent building into an existing 78,962-square-foot building and requires only plot plan

approval in the C-2 zone. The move to the new location was approved by Plot Plan No. 201200119 on April 25, 2013. The sale of alcohol is subject to a CUP. The grocery store proposes to sell alcohol between the hours of 6:00 am and 12:00 am (midnight) seven days a week.

5. **FLOOR PLAN DESCRIPTION.** The grocery store floor plan depicts 175,368 linear inches of shelf space. Alcoholic beverages are stored for sale on the shelving areas numbered 14 through 17 on the floor plan. The total area devoted to the display and sales of alcohol is 7,824 linear inches of shelf space, or approximately 4.5% of the total sales area.
6. **LOCATION.** The subject property is located at 11507 S. Western Ave., in the unincorporated community of West Athens-Westmont in the West Athens-Westmont Zoned District.
7. **EXISTING ZONING.** The subject property is zoned C-2 (Neighborhood Business) and R-3-P (Unlimited Multiple Residence – Parking). Surrounding properties are zoned as follows: C-1 (Restricted Business), C-2, and R-1 (Single-Family Residence) to the north, C-2 and R-3-P to the south, C-2 and A-1 (Light Agricultural) to the east, and R-1 to the west.
8. **EXISTING LAND USES.** The subject property is developed as a multi-tenant commercial center. The grocery store is moving into an adjacent commercial space. Surrounding properties are developed as follows: retail services, restaurants, offices, parking lots, and single-family residences to the north, social services, vacated retail services, and parking lots to the south, Los Angeles Southwest College to the east, and single-family and multi-family residences to the west.
9. **PREVIOUS CASES/ZONING HISTORY.** The relevant case and zoning history for the project is as follows:
 - CUP 93185 approved the off-site sale of alcohol at a Food4Less grocery store on April 13, 1994.
 - Plot Plan 201200119 approved tenant improvements and the relocation of a Food4Less grocery store to an adjacent, vacated commercial parcel.
 - Plot Plan 201201183 approved new signage for the Food4Less grocery store.
10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The grocery store and sale of alcohol is a commercial retail use and is consistent with the underlying land use category, Community Commercial (C.2) of the West Athens-Westmont Community Plan, which is intended for commercial uses.
11. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The Food4Less grocery store is relocating from an adjacent building into an existing 78,962-square-foot building and requires only plot plan approval in the C-2 Zone. The sale of alcohol is subject to a CUP. The move to the new location was

approved by Plot Plan No. 201200119 on April 25, 2013. The grocery store is compliant with all of the applicable development standards for the C-2 Zone and the West Athens-Westmont Community Standards District (CSD).

12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The grocery store and continued sale of alcohol will not adversely impact the neighborhood and is compatible with the existing neighborhood development. The grocery store has been operating and selling alcohol in the community since 1994 with no record of public complaints or zoning violations. The project site is a large multi-tenant commercial center on a well-travelled, primary corridor in the West Athens-Westmont community. Much of the project site has been vacant and unimproved for some time. The Food4Less grocery store provides important goods and services to the community, and the tenant improvements that have been approved as part of the move to the adjacent space will have a positive impact on the community.
13. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** The Los Angeles County South Los Angeles Sheriff's Station was consulted on this permit request. On May 30, 2013, Sergeant Scott Aikin responded that the Sheriff's Department has no objections to the CUP for the sale of alcohol at the site.
14. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
15. **PUBLIC COMMENTS.** Staff has not received any comments on the project at this time.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

16. The grocery store and sale of alcohol is a commercial retail use and is consistent with the underlying land use category, Community Commercial (C.2) of the West Athens-Westmont Community Plan, which is intended for commercial uses. Therefore, the request to sell alcohol at an existing grocery store is consistent with the adopted general plan for the area.
17. The grocery store is located on a well-travelled commercial corridor and is compatible with the existing development pattern on this corridor. There are currently no zoning violations on the property or history of public complaints related to the site or the sale of alcohol. The existing Food4Less grocery store has operated in the community since 1994, and has had a license and a CUP to sell alcohol since 1994, without any adverse impacts to the surrounding area. The Food4Less grocery store provides an important service in an area that has limited grocery options, and the sale of alcohol is an incidental use to the services and goods provided by the grocery store and the County Sheriff's Department has stated they do not oppose the continued sale of alcohol at the subject property.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

18. The project site is zoned for commercial uses, and is compliant with all of the development standards for the C-2 Zone and the West Athens-Westmont CSD. Therefore the proposed site is adequate in size and shape to accommodate development features prescribed in Title 22 of the County Code, in order to integrate said use with the uses in the surrounding area.
19. The project site is developed as a multi-tenant commercial center. Additionally, the site is located on a well-travelled, prominent commercial corridor in the community, is adjacent to other neighborhood commercial uses, and is served by existing public service facilities. Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
20. The project site is located within 600 feet of sensitive uses. An alcohol permit has been in place at the grocery store since 1994 with no complaints from the community, and there are currently no open zoning violations on the site. The sale of alcohol is an incidental use to the grocery store and there are multiple digital surveillance cameras on site. The company provides training to their staff on the sale of alcohol and has strict procedures in place to monitor the staff's sale of alcohol to the public. There are several security features in place on the site. Currently there is one security guard that patrols the shopping center from 7am to 12am, and the Food4Less grocery store has one additional guard that patrols the interior of the store. The new store will have a total of 120 Closed Circuit Television Security Cameras (CCTV cameras), which includes approximately 10 CCTV cameras on the exterior of the new building. Additionally, the local Sheriff's station has stated that they do not oppose reinstating the alcohol permit at this site. Therefore the continued sale of alcohol at the grocery store will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use.
21. The subject property is adjacent to a residential neighborhood to the west of the project site. The Food4Less grocery store provides important goods to the community and is located in a multi-tenant commercial center. Plot Plan 201200119 approved tenant improvements and the relocation of a Food4Less grocery store to an adjacent, vacated commercial parcel. The move will include improvements to the parking lot area, with the addition of new lights and a fueling station. These tenant improvements will provide a positive economic impact on the area as the project site has been vacant and unimproved for some time. Therefore, the requested use at the proposed location is sufficiently buffered in relation to any

residential area within the immediate vicinity so as not to adversely affect said area.

22. There is one other establishment, a gas station and food mart, within 500-feet of the project that has a license for the off-site sale of beer and wine. According to Title 22 of the County Code, the presence of another facility selling alcoholic beverages within 500 feet is construed as overconcentration, which requires a finding of public convenience and necessity and limits the amount of shelf space devoted to the sale of alcohol to no more than five percent of the total shelf space. The project is a request to continue the sale of alcohol at an existing grocery store that has served the community since 1994, and the grocery limits the shelf space devoted to the sale of alcohol to 4.5%. There has also been no community complaints related to the sale of alcohol at this site. Therefore, the continued ability to serve alcohol is of public convenience and necessity.
23. ABC data illustrates that the site is within an area that has an undue concentration of alcohol sales. The subject site is within Census Tract 6027. Three ABC licenses are allowed within this census tract, but four licenses currently exist. The sale of alcohol at the grocery store is a public convenience and necessity and provides an economic service to the community as it is located in a well-travelled commercial corridor and the grocery store provides services suitable for commercial areas. Therefore the continued sale of alcohol at this site will not adversely affect the economic welfare of the surrounding community.
24. The project site is developed as a multi-tenant commercial center. Plot Plan 201200119 approved tenant improvements and the relocation of a Food4Less grocery store to an adjacent, vacated commercial parcel. The move will include improvements to the parking lot area, with the addition of new lights and a fueling station. These tenant improvements will provide a positive economic impact on the area as the project site has been vacant and unimproved for some time and therefore will not cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

ENVIRONMENTAL DETERMINATION

25. The project is a request to continue the sale of alcohol at a grocery store that is moving into an adjacent, existing commercial space. Therefore, the project qualifies as a Categorical Exemption (Class 1 - Existing Facilities) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
26. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to fifteen (15) years.
27. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is

based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

WITH RESPECT TO THE CONDITIONAL USE PERMIT

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

WITH RESPECT TO ALCOHOLIC BEVERAGE SALES:

- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- G. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic

beverages shall be limited to not more than five percent of the total shelf space in the establishment; and

- H. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

THEREFORE, the information submitted by the applicant and presented at the public hearing/meeting substantiates the required findings for a Conditional Use Permit and the sale of alcoholic beverage sales as set forth in Sections 22.56.090 and 22.56.195 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

- 1. The Hearing Officer determines that the project is exempt from the California Environmental Quality Act pursuant to the Class 1 – Existing Facilities categorical exemption.
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201200011 is **approved** subject to the attached conditions.

MKK:TSS
5/29/13

c: Hearing Officer, Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2012-00099-(2)
CONDITIONAL USE PERMIT NO. 201200011**

PROJECT DESCRIPTION

The project is a request for a conditional use permit (CUP) to allow the continued off-site sale of a full-line of alcohol (Type 21) at a Food4Less grocery store in the C-2 (Neighborhood Business) and R-3-P (Unlimited Multiple Residence – Parking) Zones, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on July 16, 2028.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken

on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$2,000.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides **for five (5) annual inspections for the first five years, and five (5) biennial (one every other year) inspections for the next ten years, for a total of ten (10) inspections.** Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
20. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
21. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
22. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar

- structures, and shall keep the grocery store windows free of advertisements, and the project site free from other prohibited banner type signs or advertisements.
23. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
 24. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises.
 25. No sale of alcoholic beverages shall be made from a drive-in window.
 26. No display of alcoholic beverages shall be made from an ice tub.
 27. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises.
 28. The permittee shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines within said premises.
 29. Employees on duty after 10:00 pm shall be at least 21 years of age.
 30. Beer in containers of 16 ounces or less shall not be sold by single container, but must be sold in manufacturer pre-packaged quantities. The permittee shall post signs on the coolers and cashier station stating the selling of single containers of beer is prohibited.
 31. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than manufacturer pre-packaged quantities.
 32. All cups shall be sold in bulk, and ice shall be sold only in pre-packaged bags.
 33. No malt liquors or fortified wines shall be sold.
 34. No wine shall be sold with an alcoholic content greater than fifteen percent by volume, except corked, finished products aged two years or more.
 35. The licensed premises will have no coin-operated or other public telephones on the exterior of the building.

PROJECT SITE SPECIFIC CONDITIONS

36. This grant authorizes the sale of a full-line of alcohol for off-site consumption (Type 21) at a grocery store.
37. This grant authorizes the sale of alcoholic beverages from 6:00 a.m. to 12:00 a.m. (midnight) seven days a week.
38. The permittee shall provide adequate lighting above all entrances and exits to the premises, and shall provide adequate lighting in all parking areas and walkways under control of the permittee.
39. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties.
40. All parking lot and other exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot.
41. All litter and trash shall be collected regularly from the premises.
42. At least one security guard will be on duty from noon to closing time.
43. The store manager shall attend the quarterly meetings of the Southwest Community Association.